

SENATE BILL 8006 of the Second Extraordinary Session

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20; Title 49, Chapter 7, Part 1; Title 50; Title 56 and Title 58, Chapter 2, relative to COVID-19 related liability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following language as a new part:

(a) In connection with a civil action alleging loss, damage, injury, or death arising from exposure to or contraction of COVID-19, there is a presumption that the defendant acted with gross negligence if:

(1) The defendant knowingly violated any COVID-19-related public health order issued by the federal, state, or applicable local government;

(2) The defendant knowingly disregarded public health guidelines issued by the federal, state, or applicable local government;

(3) The defendant concealed or withheld information from employees, customers, or the public that a reasonable person would have disclosed to prevent the transmission of COVID-19 under similar circumstances; or

(4) The defendant did not review applicable public health guidelines, including policies, practices, or procedures to limit or prevent the transmission of COVID-19.

(b) As used in this part, "COVID-19" means the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, commonly referred to as COVID-19, including any mutation of SARS-CoV-2 or COVID-19.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring  
it.